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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.           | CONFIRMATION NO. |
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| 10/699,939      | 11/03/2003  | Charles F. Fisler    | H0006022; SYS-P-1220<br>(836) | 4358             |

7590 07/22/2005

Patent Services Group  
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EXAMINER

TRIEU, VAN THANH

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2636

DATE MAILED: 07/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/699,939

Applicant(s)

FISLER ET AL.

Examiner

Van T Trieu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9, 17-23 and 25 is/are allowed.
- 6) ☒ Claim(s) 10-16 is/are rejected.
- 7) ☒ Claim(s) 24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## ***DETAILED ACTION***

### ***Claim Objections***

1. Claim 24 is objected to because of the following informalities: in claim 24, line 8, the phrase "which includes" should be deleted. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 10, line 8, the phrase, "predetermined time interval notwithstanding the subsequent presence of the control signal" which raises of the indefinite because it is unclear of which control signal being applied to since there are at least two different control signals.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 10-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over **McCracken** [US 5,635,912].

Regarding claim 10, the claimed an alarm indicating output comprising an input port for receipt of at least two different control signals as well as electrical energy (the Pulse Catcher Control Module 12 receives the alarm signals 22 and converts signals from alarm input 22 to a 12 volt DC signal, see Fig. 1, col. 4, lines 33-42); and the at least one transducer for emitting human perceptible indicia, which reads upon the sound generators 16, 30 and/or 26 for outputting voices, barking, dog, police siren or annoyance signal to a person through audio speakers, see Figs. 1-3, col. 2, lines 49-51, col. 4, lines 52-66 and col. 5, lines 2-8); and the control circuit coupled to the input port and the at least one transducer, the control circuitry responsive to applied electrical energy to cause the transducer to emit an alarm indicating output, and responsive to a selected control signal to emit a different output for only a predetermined time interval notwithstanding the subsequent presence of the control signal (the Pulse Catcher

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Control Module 12 coupled to the inputs 22 and the outputs 20, 28, 32 to emit sounds/voices for a first and/or second predetermined time period differently from each others regardless of the received control signals, see Figs. 1-4, col. 2, lines 49-67, col. 3, lines 1-12, col. 4, lines 46-67 and col. 5, lines 1-36).

Regarding claim 11, the claimed control signal comprising one of different levels or different pulses (the received control signals are different pulse signals such as the first alarm pulse signal, the second alarm pulse signals and the background noise signals see Figs. 1 and 2, col. 4, lines 39-68).

Regarding claim 12, the claimed control circuitry including a programmed processor with executable instructions for responding to the selected control signals, which reads upon the Pulse Catcher Control logic 12 is programmed to monitor of received signals and controlling or instructing to provide programmable audio output signals, see Figs. 1-4, col. 4, lines 48-67 and col. 5, lines 1-32.

Regarding claim 13, the claimed the processor responds to control signals, which comprises first and second, different pulse trains, which modulate an electrical energy related signals (the Pulse Catcher Control Module 12, see Figs. 1-4, col. 4, lines 39-62).

Regarding claim 14, the claimed at least one transducer comprises at least one of a visual output device or an audible output device, the device is operable to provide both

an alarm indicating output and a non-alarm indicating output energized by the electrical energy from the input port (the received pulses signals are converted to 12 volt DC for operating the sound generators 16, 26 and/or 30 to output both non-alarm output such as the first signal to indicate of the alarm is active, and the alarm output such as the second alarm signal or the background noise signal, see Figs. 1-4, col. 4, lines 48-67 and col. 5, lines 1-8).

Regarding claim 15, the claimed control circuitry including a programmed processor for responding to at least the first and second different control signals is met by claims 12-14 above.

Regarding claim 16, the claimed processor including executable instructions that respond to the second control signal to emit output indicia for only the predetermined time interval measured relative to the initial receipt of electrical energy (the programmable Pulse Catcher Control logic 12 received the alarm signals for outputting alarm signals about 3 second based on the converting of the received alarm signals to 12 volt DC, see Figs. 1-4, col. 4, lines 35-60).

### ***Response to Arguments***

4. Applicant's arguments filed on 02 May 2005 have been fully considered but they are not persuasive. A new reference of **McGracken** is introduced to reject claims 10-16

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smoother since the claims 10-16 do not claimed of installation mode. Therefore, a new Office Action is provided.

### ***Conclusion***

5. Claims 1-9, 17-23 and 25 are allowable over the prior art because of an alarm unit for indicating an installation module is taking place in a separate unit.

6. Claim 24 would be allowable if rewritten or amended to overcome the claim objection cited above, set forth in this Office action.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Arinobu et al** disclose a control and supervisory system for power distribution equipment including a plurality of terminal control and/or supervisory devices that received control signals from the main device for outputting alarm signals.

[US 5,225,994]

**Huang** discloses a vibration sensing alarm device has a receiving circuit for receiving audio signals transmitted from a transmitter. A control switch is controlled by a decoder to be turned on/off based on the received audio signals. [US 6,559,767]

8. Any inquiry concerning this communication or earlier communications from examiner should be directed to primary examiner **Van Trieu** whose telephone number

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is (571) 272-2972. The examiner can normally be reached on Mon-Fri from 7:00 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. **Jeffery Hofsass** can be reached on (571) 272-2981.

A handwritten signature in black ink, appearing to read 'Van Trieu', with a long horizontal flourish extending to the right.

**Van Trieu**  
**Primary Examiner**  
**Date: 7/21/05**